

Message Text

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PAGE 01 SEOUL 06967 081310Z
ACTION EA-12

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C O N F I D E N T I A L SEOUL 6967

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E.O. 11652: GDS
TAGS: MPOL, PEPR, KS, US
SUBJ: COMBINED FORCES COMMAND -- FORMAL IMPLEMENTATION

REF: A) SEOUL 5892, B) SEOUL 6500

1. SUMMARY: HOPE EXPRESSED, REF A, THAT MOFA INTEREST IN FORMAL IMPLEMENTATION OF COMBINED FORCES COMMAND (CFC) WOULD EVAPORATE HAS NOT BEEN FULFILLED. RATHER, MOFA APPEARS TO HAVE HAD SOME SUCCESS IN CONVINCING MND THAT A LEGAL PROBLEM EXISTS. DEPARTMENT VIEWS ON MOFA QUESTION REQUIRED. END SUMMARY.

2. AMERICAN AFFAIRS BUREAU DIRECTOR YU CHONG-HA CALLED POLCOUNS AFTERNOON AUGUST 7 TO ASK IF RESPONSE TO QUESTIONS POSED REF A HAD BEEN RECEIVED. POLCOUNS SAID DIRECT RESPONSE HAD NOT BEEN RECEIVED, BUT ACTIONS TAKEN AT RECENTLY CONCLUDED SCM AND FOLLOWING MILITARY COMMITTEE (MC) MEETING COULD BE VIEWED AS US POSITION. YU RESPONDED BY NOTING THAT AS ROK HAD NOT MADE A FINAL DETERMINATION ON METHOD OF ESTABLISHING CFC AND MC, ACTIONS TAKEN AT TWO MEETINGS REFERRED TO BY POLCOUNS COULD NOT BE CONSIDERED BINDING. HE WAS NOT INCLINED TO ACCEPT MC MEETING IN SAN DIEGO AS AN AUTHORIZED MEETING OF THE CFC GOVERNING BODY.

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3. POLCOUNS AGAIN STRESSED TO YU OUR LOCAL VIEW THAT AUTHORITY FOR ESTABLISHMENT OF CFC ALREADY EXISTS AND THAT A FURTHER, FORMAL, GOVERNMENT-TO-GOVERNMENT AGREEMENT WAS NOT REQUIRED. ALSO, ESTABLISHMENT DATE OF AUGUST 26 REQUESTED BY ROKG AND NOW UNDER STUDY BY UNC WOULD NOT BE POSSIBLE IF MOFA INSISTED UPON AN OVERLY FORMAL, AND IN HIS VIEW UNNECESSARY, PROCEDURE.

YU SAID THAT HE WAS AWARE OF EMBASSY POSITION BUT DID NOT HAVE THE POSITION OF UNC. (SINCE UNC HAS BRIEFED MND ON SEVERAL OCCASIONS, THERE APPEARS TO BE SOME BREAKDOWN IN COMMUNICATIONS.)

4. YU RETURNED TO HIS PREVIOUS POSITION AND REQUESTED AN OPINION FROM THE STATE DEPARTMENT WHICH MOFA COULD CAREFULLY CONSIDER. AT ONE POINT HE ASKED FOR A WRITTEN POSITION WHICH COULD BE REVIEWED WORD BY WORD. POLCOUNS REMINDED YU THAT HIS ORIGINAL REQUEST HAD BEEN FOR AN INFORMAL REACTION FROM WASHINGTON AND THAT HIS PRESSING NOW FOR A FORMAL, WRITTEN RESPONSE TO HIS ORAL DEMARCHE WAS CHANGING THE RULES IN MID-GAME. YU CONCEDED THAT AN ORAL RESPONSE WOULD BE SATISFACTORY, BUT AGAINSTATED HIS NEED FOR A POSITION WHICH MOFA COULD CAREFULLY CONSIDER.

5. LATER IN EVENING OF AUGUST 7, POLCOUNS SAW MG SOHN JANG-NAI WHO ATTENDED SCM. DISCUSSION TURNED TO ESTABLISHMENT OF CFC AND MG SOHN EXPRESSED CONCERN OVER POSSIBLE LEGAL DIFFICULTIES. HE WAS CLEARLY REFLECTING MOFA VIEW. POLCOUNS REVIEWED FOR HIM THE CASE FOR PROCEEDING AS PRESENTLY PLANNED, NOTING SLIPPAGE IN ESTABLISHMENT DATE FOR CFC WHICH WOULD OCCUR IF WE BECOME ENGAGED IN A LEGAL HASSLE. MG SOHN REMAINED CONCERNED BUT NOT CONVINCED AT THE CLOSE OF THE CONFIDENTIAL

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DISCUSSION.

6. COMMENT:MOFA OFFICIALS SEEM DETERMINED TO PRESS THEIR CASE ON THIS ISSUE. MATTERS ARE NOT HELPED BY FACT THAT ACTION OFFICER IS HAHN CHANG-SHIK, HEAD OF AMERICAN AFFAIRS DIVISION II, WHO IS INCLINED TO BE DEFENSIVE AND UNSURE IN HIS OPERATION. HE REPORTS DIRECTLY TO YU CHONG-HA WHOSE OWN TENDENCY IS TO ADOPT THE MOST FORMAL COURSE AVAILABLE. INADDITION, THE ONLY WAY MOFA CAN PLAY THIS GAME IS BY INSISTING UPON A GOVERNMENT-TO-GOVERNMENT AGREEMENT WHERE RESPONSIBILITY IS CLEARLY VESTED IN MOFA. WHILE WE HAVE NO DOUBT THAT FORMAL ARRANGEMENT BEING CONSIDERED BY MOFA COULD BE WORKED OUT, WE CONTINUE TO QUESTION THE NEED AND DESIRABILITY OF SUCH A PROCEDURE. FURTHER, THE TIME WHICH WOULD BE REQUIRED FOR THE US, UNDER EXISTING PROCEDURES, TO MOVE SUCH AN ACTION FORWARD WOULD OF NECESSITY CAUSE A DELAY IN THE CFC ESTABLISHMENT. GIVEN THE PUBLICITY WHICH HAS ALREADY BEEN GIVEN TO THE CFC HERE, SUCH A DELAY WOULD WITHOUT DOUBT HAVE NEGATIVE RAMIFICATIONS.

7. ACTION REQUESTED: DEPARTMENT RESPONSE TO QUESTIONS

RAISED REF A, TAKING INTO ACCOUNT CONSIDERATIONS PRESENTED
REF B. IF, AS WE EXPECT, DEPARTMENT'S VIEW AGREES
WITH THAT OF EMBASSY, WE MAY STILL BE ABLE TO TURN OFF
MOFA AND ITS URGE TO SIGN SOMETHING.
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